

to protect the due process rights for those against whom it might bring causes of action. Did EPACT bring about any change in the standards of review which would attach to enforcement proceedings under these new authorities?

Mr. DOMENICI. I think the Senator's question is well informed, and I can assure him that there was no intent to change the standard of review which would attach to any enforcement proceeding. The longstanding practice has been for the accused party to have rights to a de novo review of the charges in Federal court. Such rights are necessary to ensure that the agency does not act as both prosecutor and judge in any enforcement proceeding. That right is clear, not just in the case law but in other statutes administered by the FERC, including the Federal Power Act and the Natural Gas Policy Act. There is no suggestion and there can be no inference that we intended to change that standard with our enhanced market oversight provisions in the Natural Gas Act.

Mr. CORNYN. I thank my good friend for that clarification and for the wisdom he has brought to Federal energy policy.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. DOLE. Madam President, let me say, first, following one of my dearest friends in the Senate, I cannot tell you how much I admire and respect this great man and how much he will be missed in the Senate.

Mr. DOMENICI. Madam President, I say to the Senator, thank you very much, Senator DOLE.

GAS SHORTAGES

Mrs. DOLE. Madam President, we all know high gas prices are the source of tremendous frustration to individuals, families, and businesses alike. I am greatly discouraged that yet another week has gone by and no action on a comprehensive energy policy has taken root in the Senate. Our country deserves better than the lack of leadership in Washington that has been shown on this issue the past 2 years.

We need a comprehensive energy policy, but right now in North Carolina we just need more gasoline. My State faces a gas shortage of crisis proportions. In western North Carolina, Asheville-Buncombe Technical Community College and Southwestern Community College have both canceled classes for the rest of this week because students and professors cannot get to class. My office has been assisting senior citizens who need help getting to doctor appointments because public transportation systems are struggling to meet increased demand. Businesses are closing early, cars are being left on the side of the road, and families are staying home just to conserve gasoline. The ripple effects of this gas shortage are resonating throughout North Carolina and the Southeast.

I know folks in western North Carolina are being particularly hard hit, and I want them to know I have heard them and we are acting to bring relief. My office has been in daily contact with constituents, State and local officials, gasoline refiners and distributors, and our Federal agencies. In response to the shortage, today my colleague, Senator RICHARD BURR, and I have written to the Secretary of Energy requesting him to tap the International Energy Agency's emergency gasoline and diesel fuel supply. An IEA release can help alleviate some of the supply constraints we are feeling in the United States. This is a prudent and responsible step which is on the scale of our efforts post-Katrina and Rita, and there is no reason the Secretary of Energy should not take this action.

Additionally, Senator BURR and I have introduced legislation today that will help prevent in the future a situation such as the one we find ourselves in today. The Motor Fuel Supply and Distribution Improvement Act of 2008 will reduce the proliferation of boutique fuels and streamline the process of getting more affordable and reliable product to western North Carolina, Charlotte, the Southeast, and across the country. With this legislation, we will no longer have to rely on an EPA Administrator to issue a waiver in times of crisis or be held victim to a policy that creates hurdles to getting gasoline to consumers when they need it most.

We also know this particular shortage is a result of Hurricanes Gustav and Ike, which devastated the gulf coast and its infrastructure. Being from a State that has been hit by its fair share of hurricanes, my heart goes out to the people of the gulf who have endured far too much disaster for one lifetime, and we will do everything possible to support them and help them rebuild.

Of strategic consequence, however, the refinery and pipeline closures in the gulf as a result of the storms highlight a glaring energy security issue for our country. It makes little sense to have a quarter of our country's refining capacity located so densely in one area. We have far too few oil refineries in America, and right now in North Carolina we are experiencing the harmful consequences of a policy that has greatly inhibited the building of new refineries in America.

We need to get to work building new refineries right here at home. In fact, for years I have been calling for streamlining regulations so more refineries can get built, only to have special interests stand in the way. The Gas Petroleum Refiner Improvement and Community Empowerment Act, or Gas PRICE Act, which I have supported since 2005, would streamline the process for the construction and operation of a refinery so we can build additional refineries and create new jobs in North Carolina and throughout the Southeast. This is a sensible approach that

would expand refinery capacity and lower gas prices.

Significantly, with this plan, our country would no longer be so dependent on one area to provide us with so much of our gasoline. As we saw in the wake of Hurricanes Katrina and Rita, we need to expand refining capacity and production so that even in the face of crisis situations our fuel supply system continues to function and support American businesses and consumers.

Now Hurricanes Gustav and Ike have reinforced that same message. North Carolinians can no longer afford Congress's inaction on our energy future. It is time to put the special interests aside and do what is right for our country.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. KOHL. Madam President, I ask unanimous consent to speak in morning business for approximately 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KOHL. Thank you, Madam President.

WALL STREET BAILOUT

Mr. KOHL. Madam President, today we are facing a historic economic crisis. We have been told by the Secretary of Treasury and the Chairman of the Federal Reserve that we stand on the edge of a financial cliff and that we are looking down on a potential disaster that this country has not seen since the Great Depression. We have seen historic financial firms and banks with household names swept away in a matter of weeks. These massive changes have left the American people worried, confused, and angry.

In the wake of this chaos on Wall Street, the administration has come to Congress with a plan they believe will calm the storm. They came to us with few details—only three pages. They told us we need to move immediately, that delay was dangerous. We were told that oversight of the bailout would be a burden and just slow everything down. We were told to hand over the money and simply get out of the way.

The administration asked the American people for a \$700 billion blank check. Wall Street and the administration are asking hard-working Wisconsinites to bail them out, to buy assets that no one wants, to go further into debt to China so that banks and financial institutions can avoid bankruptcy. My constituents, the people of Wisconsin, cannot understand how we got to this point and why they should be asked to foot the bill. They are furious, and I do not blame them.

I share their anger. As a businessman, I am shocked and appalled that the supposed best and brightest on Wall Street allowed their companies to purchase dangerous assets they did not understand, that these people gambled with the money of millions of Americans, and now they expect those same Americans to come to their rescue.